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Supreme Court, U.S.
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IN THE

SUPREME COURT OF THE UNITED STATES

OCTOBER TERM, 1971

No. 71-579

VADEE KROFT, M. D. ..... *Petitioner*

v.

WILBUR H. COX, D. B. CHEAIRS, M. D., ARGONAUT SOUTHWEST INSURANCE CO., INSURER FOR BAPTIST MEDICAL CENTER, and ST. PAUL FIRE and MARINE INSURANCE CO. ..... *Respondents*

APPENDIX

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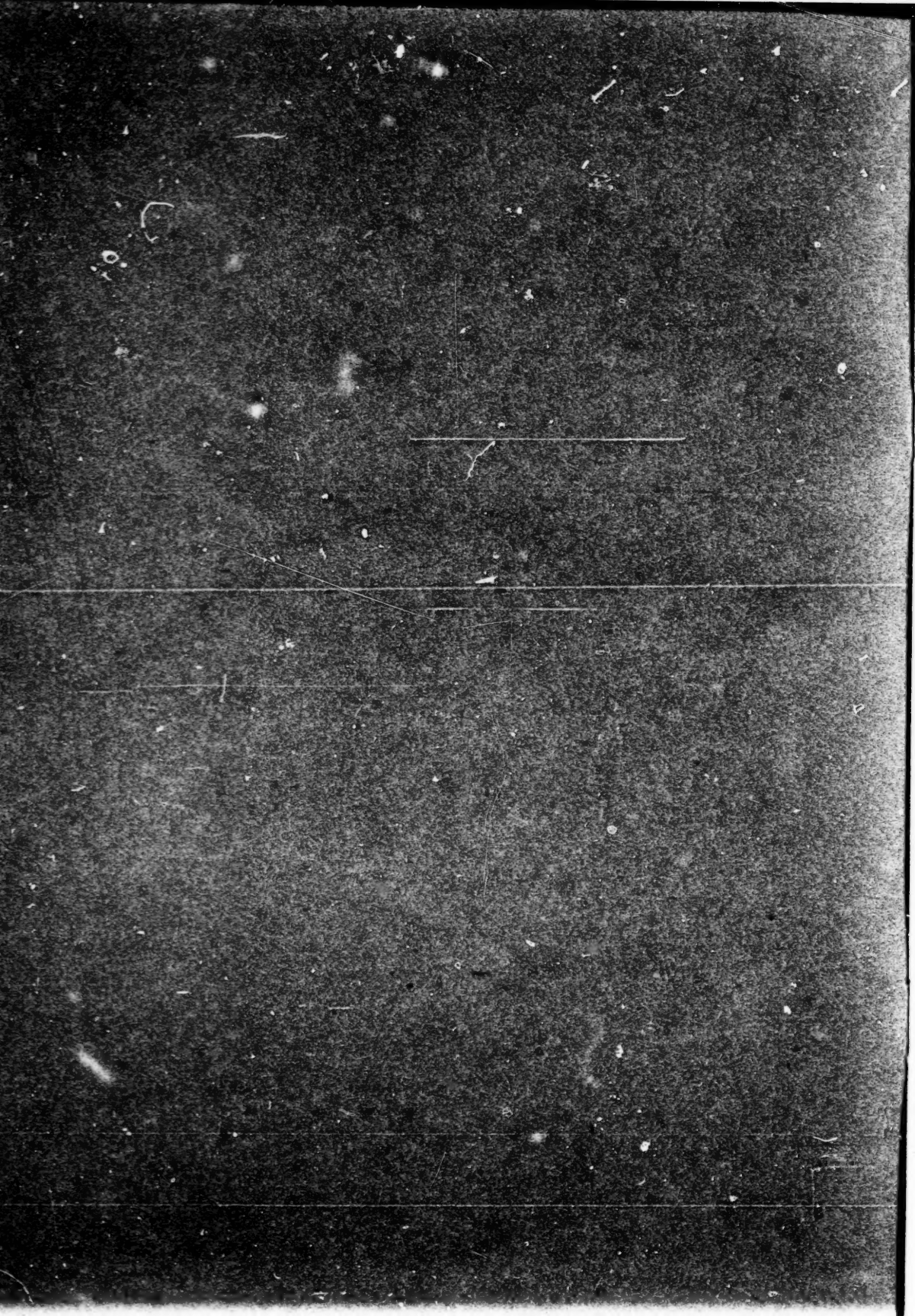

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APPENDIX
A

SUPREME COURT OF THE UNITED STATES
No. A-311, October Term, 1971

VADEE KROFT, M. D. ..... PETITIONER

v.

WILBUR H. COX ..... RESPONDENT

ORDER EXTENDING TIME TO FILE PETITION FOR WRIT OF CERTIORARI

Upon consideration of the application of the application of counsel for petitioner,

IT IS ORDERED that the time for filing a petition for writ of certiorari in the above-entitled cause be, and the same is hereby, extended to and including, October 27, 1971.

/s/ Harry A. Blackmun
Associate Justice of the Supreme
Court of the United States

Dated this 21st
day of September, 1971

APPENDIX
B

PULASKI CIRCUIT COURT, THIRD DIVISION
MARCH TERM, 1970
THURSDAY, APRIL 23, 1970

WILBUR H. COX — PLAINTIFF

Vs 70913

D. B. CHEAIRS, V. KROFT, and
(THE ARGONAUT SOUTHWEST
INSURANCE COMPANY), Insurers of
ARKANSAS BAPTIST MEDICAL
CENTER — DEFENDANTS

JUDGMENT

On the 31st day of March, 1970, this cause came on to be tried, plaintiff Wilbur H. Cox appearing in person and by his attorneys Donald S. Ryan and Lowber Hendricks; D. B. Cheairs appearing in person and by his attorney Alston Jennings, V. Kroft appearing in person

and by her attorney Steele Hays; and The Argonaut Southwest Insurance Company appearing by its attorney William A. Eldredge, Jr.; and all parties announcing ready for trial, a jury composed of Leland Jones, Jr., and eleven other members of the regular panel of the petit jury for this term of court was duly selected, empaneled and sworn to try the issues of fact arising herein.

The trial of this cause not being concluded on March 31, 1970, it was continued on April 1, 1970; and, after hearing the statements of counsel, the testimony and evidence on behalf of all parties, the instructions of the Court and the arguments of counsel, the jury retired and, after due deliberation, returned into open court the following verdict, to-wit:

1. Do you find from a preponderance of the evidence that Dr. V. Kroft was guilty of negligence which was a proximate cause of the occurrence?

   Answer: Yes.

2. If you have answered Interrogatory No. 1 with a "Yes", then answer this Interrogatory: Do you find from a preponderance of the evidence that the negligence of Dr. Kroft is imputed or charged to Dr. D. B. Cheairs?

   Answer: No.

3. Do you find a preponderance of the evidence that Dr. D. B. Cheairs was guilty of negligence that was separate and independent of the actions of Dr. Kroft, which was a proximate cause of the occurrence?

   Answer: Yes.